

6/14/19 Bob & Diane Cohen = President  
Lafayette Commons

referred by Kouninus  
Florida 352 422-3725

Condo bldg 7 UNIT

owns UNIT 6

MVC eyecare to left  
of parking lot

7/25/19

# 865

5940-805

DIS 15153

2614-046

Separate from condominium

5064-1077

3075-1546

2582-616

Cole

2275-643

King

2074-054

Morrell

2009-417

Lot area per UNIT 20

1122-313

Lot 2

2.8 AC

23379 NP

Leachy Hunter Oct 1948

Gregory Robertson

1955-292 919-482 8AC



Stockton Services &lt;stockton752@gmail.com&gt;

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**RE: Lafayette Common**

1 message

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**Diane Cohen** <DCohen@dianecohen.com>  
To: Stockton Services <stockton752@gmail.com>

Mon, Jun 17, 2019 at 9:54 AM

Hi Tocky – Yes, please proceed. As for the abutter, I am sure he would prefer a portion of the land adjacent to his building. How soon do you think I could get a response from you on this? I know the abutter is getting anxious.

Diane

**From:** [tockybialo@gmail.com](mailto:tockybialo@gmail.com) [mailto:[tockybialo@gmail.com](mailto:tockybialo@gmail.com)] **On Behalf Of** Stockton Services

**Sent:** Friday, June 14, 2019 12:24 PM

**To:** Diane Cohen <[dcohen@dianecohen.com](mailto:dcohen@dianecohen.com)>

**Subject:** Lafayette Common

Diane...

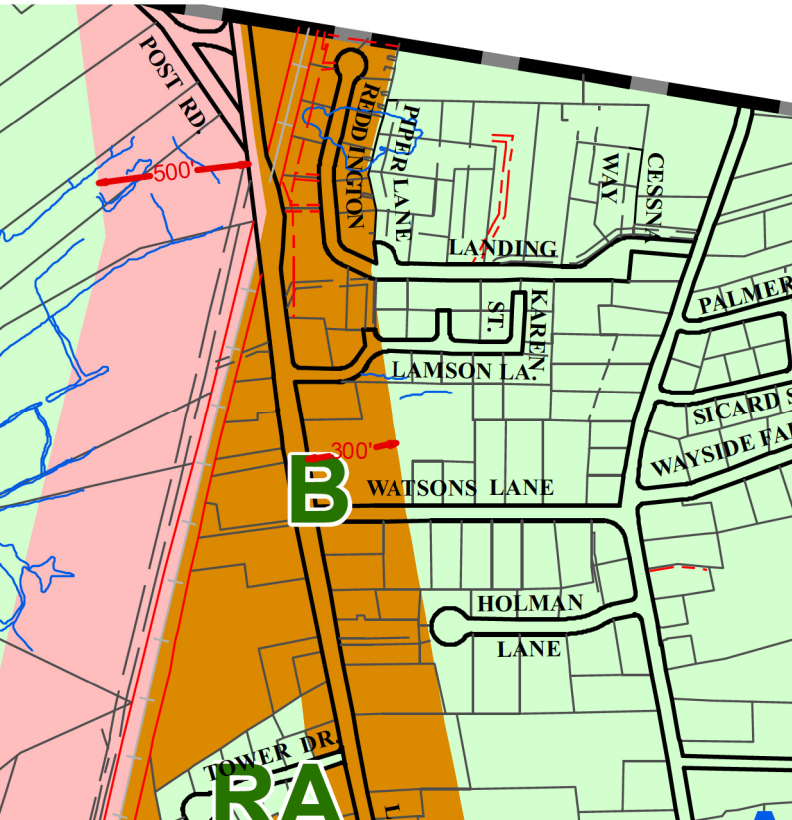
I forgot I have your email address already... and I apologize for rambling on and keeping your client waiting.

Per our phone conversation today, I suggest that you commit up to \$300 of research time for me to assess the feasibility of conveying some land to the condominium's northerly abutter.

It would help for me to know how much land you would want to sell... is there information the abutter can share about what he or she wants to do?

Please reply if you would like me to proceed.

Thank you,



## 869 LAFAYETTE RD

**Location** 869 LAFAYETTE RD**Mblu** 71/ 13/ / /**Acct#** 672**Owner** SHAIKH, MOHAMAD UMER  
FAISAL**Assessment** \$1,113,800**Appraisal** \$1,113,800**PID** 672**Building Count** 1

### Current Value

| Appraisal      |              |           |             |
|----------------|--------------|-----------|-------------|
| Valuation Year | Improvements | Land      | Total       |
| 2017           | \$781,400    | \$332,400 | \$1,113,800 |
| Assessment     |              |           |             |
| Valuation Year | Improvements | Land      | Total       |
| 2017           | \$781,400    | \$332,400 | \$1,113,800 |

### Owner of Record

**Owner** SHAIKH, MOHAMAD UMER FAISAL  
**Co-Owner**  
**Address** 183 LAFAYETTE RD  
NO HAMPTON, NH 03862**Sale Price** \$1,140,000  
**Certificate**  
**Book & Page** 4513/0363  
**Sale Date** 07/14/2005  
**Instrument** 00

### Ownership History

| Ownership History           |             |             |             |            |            |
|-----------------------------|-------------|-------------|-------------|------------|------------|
| Owner                       | Sale Price  | Certificate | Book & Page | Instrument | Sale Date  |
| SHAIKH, MOHAMAD UMER FAISAL | \$1,140,000 |             | 4513/0363   | 00         | 07/14/2005 |
| MALEK LLC                   | \$595,000   |             | 3153/0905   | 00         | 05/03/1996 |
| SGMI INC                    | \$20        |             | 2534/1031   | 00         | 02/01/1985 |

### Building Information

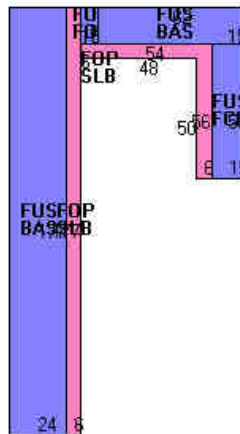
**Building 1 : Section 1**

**Year Built:** 1982  
**Living Area:** 11,301  
**Replacement Cost:** \$919,503  
**Building Percent Good:** 84  
**Replacement Cost Less Depreciation:** \$772,400

| Building Attributes |                |
|---------------------|----------------|
| Field               | Description    |
| STYLE               | Motels         |
| MODEL               | Commercial     |
| Grade               | Average        |
| Stories:            | 2              |
| Occupancy           | 34             |
| Exterior Wall 1     | Clapboard      |
| Exterior Wall 2     | Vinyl Siding   |
| Roof Structure      | Gable/Hip      |
| Roof Cover          | Asph/F GlS/Cmp |
| Interior Wall 1     | Drywall/Sheet  |
| Interior Wall 2     |                |
| Interior Floor 1    | Carpet         |
| Interior Floor 2    |                |
| Heating Fuel        | Gas            |
| Heating Type        | Forced Air-Duc |
| AC Type             | Central        |
| Use:                | MOTELS MDL-94  |
| Total Rooms         | 36             |
| Total Bedrms        | 34             |
| Total Baths         | 34             |
| 1st Floor Use:      | 301C           |
| Heat/AC             | NONE           |
| Frame Type          | WOOD FRAME     |
| Baths/Plumbing      | AVERAGE        |
| Ceiling/Wall        | CEIL & WALLS   |
| Rooms/Prtns         | AVERAGE        |
| Wall Height         | 8              |
| % Comn Wall         | 0              |

**Building Photo**

(<http://images.vgsi.com/photos2/HamptonNHPhotos//\00\00\09\94.jpg>)

**Building Layout**

([http://images.vgsi.com/photos2/HamptonNHPhotos//Sketches/672\\_655.jpg](http://images.vgsi.com/photos2/HamptonNHPhotos//Sketches/672_655.jpg))

| Building Sub-Areas (sq ft) |                       |            | Legend      |
|----------------------------|-----------------------|------------|-------------|
| Code                       | Description           | Gross Area | Living Area |
| FUS                        | Upper Story, Finished | 6,123      | 6,123       |
| BAS                        | First Floor           | 5,178      | 5,178       |
| FCP                        | Carport               | 840        | 0           |
| FOP                        | Porch, Open, Framed   | 1,791      | 0           |
| SLB                        | Con. Slab             | 1,686      | 0           |
|                            |                       | 15,618     | 11,301      |

**Extra Features**

| Extra Features             | Legend |
|----------------------------|--------|
| No Data for Extra Features |        |

**Land****Land Use**

**Use Code** 301C  
**Description** MOTELS MDL-94  
**Zone** B  
**Neighborhood** LAF1  
**Alt Land Appr Category** No

**Land Line Valuation**

**Size (Acres)** 0.50  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$332,400  
**Appraised Value** \$332,400

**Outbuildings**

| Outbuildings |                |          |                 |           |         | Legend |
|--------------|----------------|----------|-----------------|-----------|---------|--------|
| Code         | Description    | Sub Code | Sub Description | Size      | Value   | Bldg # |
| PAV1         | PAVING-ASPHALT |          |                 | 9000 S.F. | \$9,000 | 1      |

**Valuation History**

| Appraisal      |              |           |             |
|----------------|--------------|-----------|-------------|
| Valuation Year | Improvements | Land      | Total       |
| 2018           | \$781,400    | \$332,400 | \$1,113,800 |
| 2017           | \$781,400    | \$332,400 | \$1,113,800 |
| 2016           | \$781,400    | \$332,400 | \$1,113,800 |

| Assessment     |              |           |             |
|----------------|--------------|-----------|-------------|
| Valuation Year | Improvements | Land      | Total       |
| 2018           | \$781,400    | \$332,400 | \$1,113,800 |
| 2017           | \$781,400    | \$332,400 | \$1,113,800 |
| 2016           | \$781,400    | \$332,400 | \$1,113,800 |

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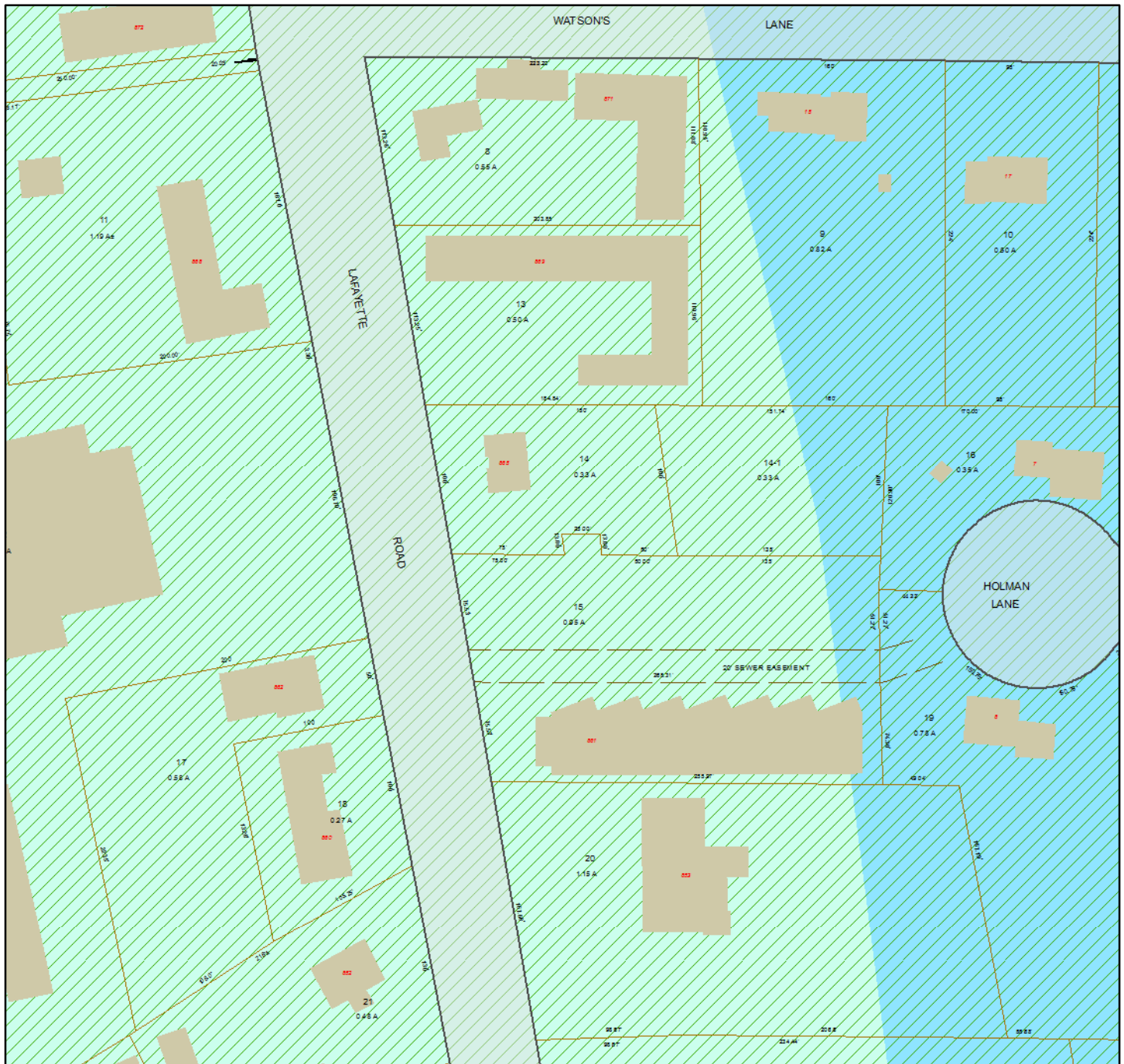
Hampton, NH



June 17, 2019

1 inch = 95 Feet

www.cai-tech.com



|              |                             |                                  |
|--------------|-----------------------------|----------------------------------|
| PROPERTYLINE | Buildings                   | 1001 - 2000 FEET SQUARED PER DAY |
| ROAD         | Right of Ways               |                                  |
| EASEMENT     | Aquifer Protection Area     |                                  |
| tanno_poly   | < 1000 FEET SQUARED PER DAY |                                  |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

I CERTIFY THAT THIS PLAN IS ACCURATE AND IS IN COMPLIANCE WITH THE PROVISIONS OF NEW HAMPSHIRE RSA 356-B(2)(b) AND THAT ALL IMPROVEMENTS SHOWN HEREON ARE SUBSTANTIALLY COMPLETED.

I CERTIFY THAT THIS SURVEY PLAT SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIP AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP ARE SHOWN.



5-28-86  
DATE

N/F JOHN J. WELCH JR.  
869 LAFAYETTE ROAD, HAMPTON, N.H. 03842  
RCRD 2440/1173 C-7661

N/F WILLIAM E. & GAIL L. RING  
15 WATSON'S LANE, HAMPTON, N.H. 03842 RCRD 2325/176

EXPANDABLE AREA =  
14,429 s.f.  
330c.

N/F THOMAS W. & JUNE L. COLE  
865 LAFAYETTE ROAD, HAMPTON, N.H. 03842  
RCRD 2270/543

TOTAL SUBMITTED AREA = 54,058 s.f. 124 ac.  
TOTAL COMMON AREA = 54,058 s.f. 124 ac.  
FUTURE CONVERTIBLE AREA = 54,058 s.f. 124 ac.

N/F KEN & JOYCE NELSON  
7 HOLMAN LANE, HAMPTON, N.H. 03842

N/F WICKES CORPORATION  
864 LAFAYETTE ROAD  
HAMPTON, N.H. 03842  
RCRD 2212/649

N/F JOAN M. O'DONNELL  
860 LAFAYETTE ROAD  
HAMPTON, N.H. 03842  
RCRD 2299/1165

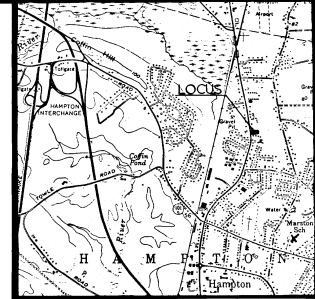
N/F YVON J. & HOPE E. DUBE  
860 LAFAYETTE ROAD  
HAMPTON, N.H. 03842  
RCRD 2206/1775

N/F 1st NATIONAL BANK OF PORTSMOUTH  
853 LAFAYETTE ROAD, HAMPTON, N.H. 03842  
RCRD 2353/350 C-9084

N/F DAVID & ELLEN STOCKBRIDGE  
8 HOLMAN LANE, HAMPTON, N.H. 03842

# LEGEND

|     |                      |
|-----|----------------------|
| CB  | CATCH BASIN          |
| EP  | EDGE OF PAVEMENT     |
| ETW | EDGE OF TRAVELED WAY |
| F   | FINISH FLOOR         |
| IP  | IRON PIPE            |
| OHE | OVERHEAD ELE         |
| S   | SEWER                |
| SL  | SEWER LATERAL        |
| SMH | SEWER MANHOLE        |
| TYP | TYPICAL              |
| UGE | UNDERGROUND ELECTRIC |
| W   | WATER                |
| WS  | WATER SERVICE        |
| WSD | WATER SHUT OFF       |
| WTD | WATER SHUT OFF       |
| WTD | TRANSFORMER          |



LOCATION PLAN

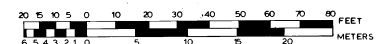
## NOTES:

- PARCEL IS LOCATED IN THE BUSINESS ZONE AND IS SHOWN ON TOWN OF HAMPTON ASSESSORS MAP 99 AS LOTS 9 & 22.
- THIS PARCEL IS NOT LOCATED IN A FLOOD HAZARD ZONE OR HAMPTON WETLANDS ZONE.
- PERIMETER IS AS SHOWN FOR LOTS 9 & 10 ON RCRD PLAN 12570 SUBDIVISION PLAN FOR SEACOAST DESIGN LAFAYETTE ROAD/MILL ROAD COUNTY OF ROCKINGHAM HAMPTON, N.H. DATED JANUARY 20, 1984 REV 2 MARCH 22, 1984 BY RICHARD P. MILLETTE AND ASSOCIATES, PORTSMOUTH, N.H.
- OWNERS OF RECORD ARE JOHN J. WELCH JR. AND DEAN E. KRAPE, 51 MILL ROAD, HAMPTON, N.H. 03842 RCRD 2492-1484
- EACH UNIT CONTAINS 1,371.42 s.f. ON THE FIRST AND BASEMENT FLOORS AND 630.00 s.f. ON THE SECOND FLOOR. TWO STORY 640.00 s.f. GREEN HOUSE IS PART OF UNIT ONE.
- REQUIREMENTS:  
1 SPACE/300 s.f. BUILDING AREA  
14,650 s.f. TOTAL BUILDING AREA = 49 SPACES REQUIRED  
70 SPACES PROVIDED
- ZONE REQUIREMENTS:  
MIN FRONTAGE: 20' 151.06'  
MIN SETBACKS:  
FRONT 7' 12'  
SIDE 4' 4.5'  
REAR 4' 26'

CONDOMINIUM SITE PLAN  
FOR

**SEACOAST  
DESIGN INC.**  
LAFAYETTE ROAD  
COUNTY OF ROCKINGHAM  
HAMPTON, N.H.

SCALE: 1"= 20' DATE: NOVEMBER 19, 1985



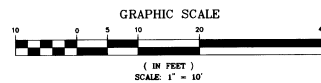
RICHARD P. MILLETTE AND ASSOCIATES  
500 MARKET STREET, PORTSMOUTH, N.H.  
TELEPHONE: (603) 431-2222

SHEET 1 OF 2 #8522

D-15153

SHEET 1 of 2





# NOTES

- 1) OWNER OF RECORD:  
SULLY'S SUITES, LLC, 865 LAFAYETTE ROAD  
HAMPTON, NH 03842, TAX MAP 71, LOT 14  
RCRD: 5064-1071, PARCEL AREA: 14,424 S.F., 0.33 ACRES.
- 2) BASIS OF BEARING FROM PLAN REFERENCE #2.
- 3) USE REGULATION  
HAMPTON TOWN ORDINANCE - ARTICLE IV  
ZONE: BUSINESS B  
MINIMUM REQUIRED SETBACKS:  
FRONT - 10'  
SIDE & REAR - 7'  
PER TABLE II
- 4) PARKING  
HAMPTON TOWN ORDINANCE - ARTICLE VI, SECTION 6.3  
REQUIREMENTS: 1 SPACE PER 200 FOR PROFESSIONAL  
1 SPACE PER 300 FOR RETAIL  
1200 S.F. RETAIL = 4 SPACES  
1305 S.F. PROFESSIONAL = 7 SPACES  
PARKING SPACES REQUIRED = 11 SPACES  
PARKING SPACE REQUIREMENTS - SECTION 6.4.2  
9'x10' MINIMUM SPACE + APPROVED INGRESS & EGRESS
- 5) AQUIFER PROTECTION DISTRICT  
HAMPTON ZONING ORDINANCE - ARTICLE II, SECTION 2.5  
NON-RESIDENTIAL - MAXIMUM LOT COVERAGE = 60%  
LOT AREA = 14,424 S.F.  
ALLOWABLE LOT COVERAGE = 8,654 S.F. (59%)  
PROPOSED LOT COVERAGE = 8,565 S.F. (59%)
- 5) A HANOVER HAS GRANTED BY THE HAMPTON PLANNING BOARD AT  
AT THE SEPTEMBER 16, 2009 MEETING FOR THE  
SITE PLAN REVIEW REGULATIONS - SECTION VII PART B1  
"PARKING AREAS AND DRIVES SHALL BE PAVED IF  
PUBLIC USE IS INTENDED, HOWEVER THE BOARD MAY HAVE  
PAVING TO REDUCE RUNOFF."
- 6) OUTSIDE LIGHTING SHALL CONFORM TO CITY  
REGULATIONS, AND MEET FOOT CANDLE REQUIREMENTS.
- 7) CONTRACTOR TO NOTIFY D&S SAFE 1-800-225-4477  
AT LEAST 12 HOURS PRIOR TO ANY EXCAVATION.
- 8) SEWER, WATER & GAS LINE LOCATIONS ARE  
APPROXIMATE & ARE BASED ON FIELD MEASUREMENTS  
& CITY DFN INFORMATION. CONTRACTOR TO WORK  
WITH CITY UTILITIES FOR ANY RENOVATIONS.
- 9) ADEQUATE SIGNAGE MUST BE INSTALLED FOR A HANDICAP  
PARKING SPACE.  
CONTRACTOR TO ASSURE WHEELCHAIR ACCESSIBILITY FROM  
VEHICLE TO ADA-COMPLIANT ENTRANCES.
- 10) PER TOWN OF HAMPTON SITE PLAN REVIEW REGULATIONS  
SECTION VII DESIGN AND CONSTRUCTION REQUIREMENTS,  
PART D. STORM DRAINAGE:  
2. STORMWATER RUNOFF ANALYSIS SHALL INCLUDE  
MODELING OF THE 2-YEAR, 10-YEAR, 25-YEAR, 50-YEAR  
AND 100-YEAR 24-HOUR RAINFALL EVENTS. THE PEAK  
RATE OF RUNOFF AFTER DEVELOPMENT SHALL MATCH  
THE EXISTING CONDITION RUNOFF FOR THESE EVENTS TO  
THE EXTENT POSSIBLE.  
A STORMTECH UNDERGROUND DETENTION SYSTEM FED BY  
CATCHBASINS HAS BEEN DESIGNED AND INSTALLED TO  
MEET THE SITE PLAN REVIEW REGULATIONS ABOVE.
- 11) NO INCREASE IN STORMWATER RUNOFF IS PROPOSED, DUE TO  
THE PROPOSED STORMTECH SYSTEM. A DECREASE IN  
STORMWATER RUNOFF WILL RESULT AFTER POST DEVELOPMENT.  
ALL ROOF RUNOFF MUST BE COLLECTED AND DIRECTED TO  
THE STORMTECH UNITS. SEE ROOF DRAINAGE LINE (-RD-)   
SEE DRAWING 6 FOR ADDITIONAL INFORMATION.
- 12) FOR COMPLETE BOUNDARY INFORMATION REFER TO DRAWING 1.

I, ALEX ROSS, HEREBY CERTIFY:  
THAT THIS SURVEY PLAT WAS PREPARED BY ME OR THOSE  
UNDER MY DIRECT SUPERVISION.

THIS PLAN IS A RESULT OF FIELD SURVEY PERFORMED BY  
AR & WJ DURING JUNE 2009. THE ERROR OF  
CLOSURE IS BETTER THAN 1/15,000.  
SURVEY PER NHLSA STANDARDS, CATEGORY 1, CONDITION 1

R. Alex Ross 1/21/10  
DATE



Alex Ross  
CIVIL ENGINEER & SURVEYOR

SEA

R. Alex Ross  
No. 9409

R. Alex Ross

ROSS ENGINEERING  
Civil/Structural Engineering  
& Surveying  
600 Village Ln.  
Portsmouth, NH 03801  
(603) 433-7566

CLIENT  
SULLY'S SUITES, LLC  
865 LAFAYETTE ROAD  
Hampton, NH 03842

TITLE  
Site Plan  
for  
Hampton Vision Center

865 Lafayette Road  
Tax Map 71, Lot 14  
Hampton, NH

JOB NUMBER 09-040 DWG. NO. 2 OF 9 ISSUE 5

## LEGEND

- 20' TSW POLE LIGHT
- TOW HALL PACK LIGHT
- UTILITY POLE
- OVER HEAD UTILITIES
- SEWER MANHOLE
- DRAINAGE MANHOLE
- WATER SHUT OFF VALVE
- VERTICAL GRANITE CURB
- SLOPE OF SURFACE DRAINAGE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- SEWER LINE
- WATER LINE
- ROOF DRAINAGE LINE
- DRAINAGE LINE
- CATCH BASIN
- CAPE COD BERM

## EXISTING CATCH BASINS

C.B. "A" - EXISTING 3' DIAMETER BASIN  
RIM ELEV. = 48.14  
INLET - 12" PVC LINE FROM TRENCH DRAIN  
ON LOT 5 ELEV. 46.41  
OUTLET - 12" PVC LINE TO C.B. "B", ELEV. 46.32  
C.B. "B" - EXISTING 3' DIAMETER BASIN  
RIM ELEV. = 48.45  
INLET - 12" PVC LINE FROM C.B. "A", ELEV. 48.45  
INLET - 14" ADS LINE FROM NORTH, ELEV. 44.45  
OUTLET - 18" ADS LINE TO WEST, ELEV. 44.45

## PROPOSED STRUCTURES

C.B. #1  
RIM ELEV. = 48.00  
OUTLET - 12" ADS N-12 TO DMH #1, INV. OUT 45.50  
DMH #1  
RIM ELEV. = 48.75  
INLET - 12" LINE FROM C.B. #1 45.40  
INLET - 6" ADS N-12 ROOF DRAIN 46.00  
OUTLET - 10" STORMTECH HEADER LINE 45.33  
OUTLET - 12" STORMTECH ISOLATOR LINE 45.33

APPROVED BY THE HAMPTON  
PLANNING BOARD DATE: 2-3-10

*[Signature]*

D-36256

ARTICLE IV - DIMENSIONAL REQUIREMENTS

Table II (1,2,9)

The dimensional requirements listed govern the size and placement of buildings and other structures as indicated (--indicates no present requirement)

|                             |   | RAA <sup>(3)</sup> | RA                    | RB                              | RCS                        | B                   | BS                        | BS 1 <sup>r</sup>        | POR                           | TC-H, TC-N,<br>TC-S           | G                   | I                        | MHP <sup>(4)</sup><br>Permit | MHP <sup>(5)</sup><br>Overnight |
|-----------------------------|---|--------------------|-----------------------|---------------------------------|----------------------------|---------------------|---------------------------|--------------------------|-------------------------------|-------------------------------|---------------------|--------------------------|------------------------------|---------------------------------|
| 4.1 s <sup>(34)</sup>       | Minimum lot area (sq. ft.) <sup>(20)</sup>  | 43,560             | 15,000 <sup>(6)</sup> | 10,000 <sup>(7)</sup> k         | 6,000 <sup>(8)</sup>       | 10,000 <sup>i</sup> | 5,000 <sup>(23),f</sup>   | 5,000 <sup>(23)</sup>    | See Article II<br>Section 2.7 | See Article II<br>Section 2.8 | 15,000 <sup>g</sup> | 22,000 <sup>g</sup>      | 400,000                      | 120,000                         |
| 4.1.1 s <sup>(34)</sup>     | Min. lot area per dwelling<br>unit (sq. feet)   | 43,560             | 15,000 <sup>(6)</sup> | 5,000 <sup>(7)</sup> n          | 3,000 <sup>(8), j, p</sup> | 10,000              | 2,500 <sup>(23)</sup> k,p | 2,500 <sup>(23)</sup>    |                               |                               | 15,000 <sup>g</sup> | -- <sup>c</sup>          | 20,0000                      | 1000                            |
| 4.1.2                       | Deleted 1990  |                    |                       |                                 |                            |                     |                           |                          |                               |                               |                     |                          |                              |                                 |
| 4.2                         | Minimum frontage (ft.) <sup>(22), e</sup>   | 200                | 125 <sup>(6)</sup>    | 75 <sup>(7), i</sup>            | 60 <sup>(8)</sup>          | 100 <sup>i</sup>    | 20                        | 20                       |                               |                               | 125                 | 100 <sup>h</sup>         | 50 d, <sup>(21)</sup>        | 25 d, <sup>(21)</sup>           |
| 4.3                         | Minimum lot width (ft.)   | 200                | 125 <sup>(6)</sup>    | 75 <sup>(7)</sup>               | 60 <sup>(8)</sup>          | 100 <sup>i</sup>    | --                        | --                       |                               |                               | 125 <sup>g</sup> -- | 100 <sup>h</sup>         | 50                           | 25                              |
| 4.4                         | Maximum number of<br>stories/feet <sup>(27)(33)</sup>   | 3/35 <sup>f</sup>  | 3/35 <sup>f</sup>     | 3/35 <sup>f</sup>               | 3/35 <sup>f</sup>          | --/50 <sup>f</sup>  | --/50 <sup>f</sup>        | 70 <sup>(27A),(32)</sup> |                               |                               | 3/35 <sup>f,g</sup> | --/50 <sup>h</sup>       | --                           | --                              |
| 4.5                         | Minimum setbacks (12) (13)<br><sup>(25) (29), o</sup>   |                    |                       |                                 |                            |                     |                           |                          |                               |                               |                     |                          |                              |                                 |
| 4.5.1                       | Front (ft.)   | 20 <sup>(15)</sup> | 20 <sup>k</sup>       | 20 <sup>k</sup>                 | 10                         | 10 <sup>i</sup>     | 4 b <sup>(17)</sup>       | 4 <sup>(17)</sup>        |                               |                               | 10 <sup>g</sup>     | 30                       | 20 <sup>(19)</sup>           | 20                              |
| 4.5.2                       | Side (ft.) <sup>(28)</sup>  | 20 <sup>(15)</sup> | 15 <sup>(26), m</sup> | 10 <sup>(26),<sup>m</sup></sup> | 7/12 <sup>(16), m</sup>    | 7 <sup>i</sup>      | 4                         | 4                        |                               |                               | 7 <sup>g</sup>      | 10/15 h, <sup>(24)</sup> | 10 <sup>(18)</sup>           | 10                              |
| 4.5.3                       | Rear (ft.) <sup>(28)</sup>  | 20 <sup>(15)</sup> | 10 <sup>k</sup>       | 10 <sup>k</sup>                 | 7                          | 7 <sup>i</sup>      | 4                         | 4                        |                               |                               | 7 <sup>g</sup>      | 15 h, <sup>(17)</sup>    | 10 <sup>(18)</sup>           | 10                              |
| 4.6                         | Minimum square footage per<br>dwelling unit <sup>a</sup>  | 900                | 900                   | 500                             | 500                        | 400                 | 330 <sup>e</sup>          | 330                      |                               |                               | 500 <sup>g</sup>    | --                       | --                           | --                              |
| 4.7                         | Maximum number of<br>dwelling units per structure   | 1                  | 1                     | 8 <sup>a</sup>                  | 2                          | 8 <sup>a</sup>      | --                        | --                       |                               |                               | 8 <sup>a</sup>      | 0                        | 1                            | 1                               |
| 4.8 q <sup>(30), (31)</sup> | Maximum Percentage of<br>Impervious Coverage per lot  | 60%                | 60%                   | 60%                             | 60%                        | 75%                 | 75%                       | 75%                      |                               | <sup>(30), (31)</sup>         | 60%                 | 60%                      | --                           | --                              |
| 4.8a <sup>1</sup>           | Maximum Percentage of<br>Impervious Coverage per<br>residential lot in the Aquifer<br>Protection Zone     | 25%                | 25%                   | 25%                             | 25%                        | 25%                 | 25%                       | --                       |                               |                               | 25%                 | 25%                      | --                           | --                              |
| 4.8b <sup>1</sup>           | Maximum Percentage of<br>Impervious Coverage per<br>non-residential lot in the<br>Aquifer Protection Zone | 60%                | 60%                   | 60%                             | 60%                        | 60%                 | 60%                       | --                       |                               |                               | 60%                 | 60%                      | --                           | --                              |

(See “Footnotes”)  
<sup>a</sup> Amended 1976  
<sup>b</sup> Amended 1981  
<sup>c</sup> Amended 1982  
<sup>d</sup> Amended 1983  
<sup>e</sup> Amended 1985  
<sup>f</sup> Amended 1986  
<sup>g</sup> Amended 1987  
<sup>h</sup> Amended 1989  
<sup>i</sup> Amended 1990

<sup>j</sup> Amended 1992  
<sup>k</sup> Amended 1994  
<sup>l</sup> Amended 1997 & 2017  
<sup>m</sup> Amended 1998  
<sup>n</sup> Amended 2007  
<sup>o</sup> Amended 2011  
<sup>p</sup> Amended 2012  
<sup>q</sup> Amended 2014 & 2017  
<sup>r</sup> Amended 2014  
  
<sup>s</sup> (Amended 2019)

**SPECIAL NOTE:** For footnotes where an effective date pertaining to a minimum dimensional requirement is listed (e.g., 3, 6, 7, 8, 23), a lot on record or approved prior to that date must conform to the particular footnoted requirement in force on the date of record or approval in order to be a buildable lot. (Amended 1991)

**FOOTNOTES:**

- (1) For the purpose of this section, all steps, porches, decks, piazzas and other similar elements shall be considered a part of the structure. (Amended 1985)
- (2) Corner Lots: - The following area shall remain free from obstruction: As illustrated on the Corner Lot diagram provided herein, the area formed by two straight lines that proceed along the edge of pavement or curbing back from the intersecting point of the two streets for a distance of twenty (20) feet and then connecting both end points to create a triangle. No structure other than a building constructed in accordance with the minimum setback requirements of Section 4.5, or a legal pre-existing building, shall be located on the private property within the triangular area. Additionally, vegetation within the triangular area shall be maintained at a height not to exceed three (3) feet, as measured from the edge of pavement or curbing, so as to afford adequate sight distance at the corner. Walls and fences within the triangular area shall also be subject to the same three (3) foot maximum height requirement as vegetation. (Adopted March 2017)
- (3) Except if on record or having Planning Board approval prior to March 10, 1959.
- (4) See Article IX - Manufactured Home parks and applicable State laws and regulations.
- (5) 10% of total spaces may be utilized for transient facilities. Overnight transient facilities shall be restricted to a maximum stay of fifteen (15) days, lot area not less than 1,000 square feet with a width not less than twenty-five (25) feet.
- (6) Except if on record or having tentative Planning Board approval prior to March 10, 1970.

- (7) Unless lot recorded prior to March 13, 1962.
- (8) Unless on record prior to March 11, 1958.
- (9) In cases where properties are non-conforming by reason of any or all of the provisions of this article, an addition or expansion which otherwise meets the provisions of 4.4 through 4.8 inclusive, shall be permitted without variance. This provision shall not apply to properties deemed to be non-conforming, in whole or in part, by reason of Article III, USE REGULATIONS. (Amended 1996)
- (10) (Deleted 1990) (11) Deleted (March 2001).
- (12) Seven (7) feet to any other building on the lot in RA and RB Districts. (Amended 2002)
- (13) For multi-family dwellings refer to Article VIII, subsection 8.2.3.
- (14) (Deleted 2002)
- (15) Fifteen (15) feet to any other building on the same lot in the RAA District.
- (16) Seven (7) feet from one side lot line and twelve (12) feet from the opposite side lot line (the purpose of this is to provide for an adequate driveway on one side or the other of the lot).
- (17) Where setback requirements are four (4) feet, any part of a structure substantially on the setback line shall be of cement block construction, except that if of wood frame construction the structure shall have an approved sprinkler system. One and two-family dwellings are exempted from this requirement. (Amended 1991)
- (18) Twenty (20) feet between manufactured homes, not including patios, uninclded porches, overnight transient facilities.
- (19) From public street.
- (20) If public sewer is not available, the minimum lot size shall be 40,000 square feet.

- (21) Refers to the frontage of the spaces within the parks. (Amended 1983)
- (22) A lot must be able to contain within the property lines and touching the front lot line, a square whose sides are equal in length to seventy-five percent (75%) of the frontage requirement of the district in which the lot is located. (Amended 1995)
- (23) Unless lot recorded prior to March 11, 1986. (Amended 1986)
- (24) Ten (10) feet from one side lot line and fifteen (15) feet from the opposite side lot line. (Amended 1989)
- (25) In order to correctly determine structure placement for setback requirements. (Amended 1997).
- (26) The side setback shall be 10 feet for any existing lot of record having less than the required frontage as listed in Article 4.2 in the RA zone. The side setback shall be 7 feet for any existing lot of record having less than the required frontage as listed in Article 4.2 in the RB zone. (Amended 2002)
- (27) Building Height shall be measured in accordance with Article I, Section 1.6. (Amended March, 2001)
  - A. With the exception that unoccupied architectural appurtenances to which there is no public access and comprising not more than 25% of the structure's footprint in plan view shall be excluded. In no instance shall any appurtenance extend to a point greater than 80 feet in height measured vertically from the established average grade plane. (Amended March 2014)
- (28) Any accessory building being 100 square feet or less in size and not greater than 12 feet in height shall meet a minimum setback of four feet on both sides and rear of the property line in all zones, but must maintain the minimum required front property line setback in the zone said accessory building is being located. (Amended March, 2001 & Amended 2002)
- (29) (Deleted March 2014)
- (30) These standards shall apply to new development. (Amended March 2014)
- (31) These standards apply to redevelopment of any property, with the following exceptions: That a lot lawfully existing prior to the adoption of this ordinance update, even with greater than 60% / 75% of impervious coverage, will be considered to be conforming with regard to impervious surface coverage (Article IV 4.8) provided that there is no increase in the impervious surface coverage from the redevelopment and either:
  - a. the proposed project will not constitute a “substantial improvement” (defined as a project/development costing greater than 50% of the assessed value of the property, exclusive of the land value), or
  - b. the proposed project will constitute a “substantial improvement” and it can be demonstrated that stormwater management controls will be used onsite to capture, store, treat, and/or infiltrate all stormwater runoff generated by the site. (Amended March 2014)
- (32) Structures are prohibited from casting shadows on the sand on the easterly side of Ocean Boulevard prior to 6 pm from May 15<sup>th</sup> through September 1st. The shadow effects of unoccupied architectural appurtenances and structural screening shall be included in the determination of the shadow effects of the structure. (Amended March 2014)
- (33) If the elevation of the structure's lowest floor above base flood elevation results in the exceedance of the maximum height requirements (in feet) provided in Article IV, Section 4.4, then the maximum height requirements (in feet) shall be increased by the elevation amount (in feet) that exceeds the maximum height requirement, up to 3 feet in accordance with Article II, Section 2.4.9(A)(1). (Amended March 2019)
- (34) If the property contains wetlands or areas of poorly and very poorly drained soils or their buffers, refer to Section 2.3.7(C) - Special Provisions regarding minimum lot size and minimum lot size per dwelling unit. (Adopted March 2019)



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# **2015 New Hampshire Revised Statutes**

## **Title L - WATER MANAGEMENT AND PROTECTION**

### **Chapter 483-B - SHORELAND WATER QUALITY PROTECTION ACT**

#### **Section 483-B:4 - Definitions.**

**Universal Citation:** NH Rev Stat § 483-B:4 (2015)

**483-B:4 Definitions.** – In this chapter:

I. "Abutter" means any person who owns property that is immediately contiguous to the property on which the proposed work will take place, or who owns flowage rights on such property. The term does not include those properties separated by a public road or more than 1/4 mile from the limits of the proposed work. If contiguous properties are owned by the person who is proposing the work, then the term includes the person owning the next contiguous property, subject to the 1/4 mile limitation.

II. "Accessory structure" means a structure, as defined in paragraph XXII of this section, on the same lot and customarily incidental and subordinate to the primary structure, as defined in paragraph XIV of this section; or a use, including but not limited to paths, driveways, patios, any other improved surface, pump houses, gazebos, woodsheds, garages, or other outbuildings.

III. [Repealed.]

IV. "Commissioner" means the commissioner of the department of environmental services or designee.

V. "Department" means the department of environmental services.

VI. "Disturbed area" means an area in which natural vegetation is removed, exposing the underlying soil.

VII. "Ground cover" means any herbaceous plant or any woody seedling or shrub generally less than 3 feet in height. Ground cover shall not include lawns, landscaped areas, gardens, invasive species as listed by the department of agriculture, markets, and food in accordance with RSA 430:53, III, exotic species as designated by rule of the department of environmental services in accordance with RSA 487:24, VII, imported organic or stone mulches, or other artificial materials.

VII-a. [Repealed.]

VII-b. "Impervious surface" means any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

VII-c. "Horticultural professional" means any arborist, landscape architect, or gardening consultant whose function is that of providing services relative to horticulture.

VIII. "Lot of record" means a legally created parcel, the plat or description of which has been recorded at the registry of deeds for the county in which it is located.

IX. [Repealed.]

X. "Municipality" means a city, town, village district if specifically authorized to zone by the legislature, or county in respect to unincorporated towns or unorganized places or any combination thereof pursuant to RSA 53-A.

X-a. [Repealed.]

X-b. [Repealed.]

XI. "Natural woodland buffer" means a forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.

XI-a. [Repealed.]

XI-b. [Repealed.]

XI-c. "Nonconforming lot of record" means an existing lot which does not conform to the provisions of this chapter.

XI-d. "Nonconforming structure" means a structure that, either individually or when viewed in combination with other structures on the property, does not conform to the provisions of this chapter, including but not limited to the impervious surface limits of RSA 483-B:9, V(g).

XI-e. "Ordinary high water mark" means the line on the shore, running parallel to the main stem of the river, established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the immediate bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Where the ordinary high water mark is not easily discernable, the ordinary high



6/17/19  
by phone

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DIANE  
ADVISED  
STRONGLY  
TO

NOT

CONVEY ANY  
LAND TO ABUTTER

WILL HOLD UNTIL  
I HEAR  
FROM HER.

Stockton Services  
PO Box 1306  
Hampton, NH 03843-1306  
603 929-7404

Lafayette Common Condominium  
861 Lafayette Road  
Hampton, NH 03842  
att: Diane Cohen

Statement 07/22/19

Locus: 861 Lafayette Road, Hampton, NH

Research, consultation  
re: feasibility of sale of land to abutter . . . . . \$ 200.00

**Balance due . . . . . \$ 200.00**

Thank you.

*Tocky*